

Union Calendar No. 541

110TH CONGRESS
2D SESSION

H. R. 1847

[Report No. 110–841]

To amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2007

Mr. UDALL of Colorado (for himself, Mr. EHLERS, Mr. KILDEE, Mr. KIND, Ms. BALDWIN, Mr. LEVIN, and Mr. PETRI) introduced the following bill; which was referred to the Committee on Natural Resources

SEPTEMBER 11, 2008

Additional sponsors: Mr. ARCURI and Mr. MORAN of Virginia

SEPTEMBER 11, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 29, 2007]

A BILL

To amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “National Trails System*
 5 *Willing Seller Act”.*

6 **SEC. 2. AUTHORITY TO ACQUIRE LAND FROM WILLING**
 7 **SELLERS FOR CERTAIN TRAILS.**

8 (a) *OREGON NATIONAL HISTORIC TRAIL.*—Section
 9 5(a)(3) of the National Trails System Act (16 U.S.C.
 10 1244(a)(3)) is amended by adding at the end the following:
 11 *“No land or interest in land outside the exterior boundaries*
 12 *of any federally administered area may be acquired by the*
 13 *Federal Government for the trail except with the consent*
 14 *of the owner of the land or interest in land. The authority*
 15 *of the Federal Government to acquire fee title under this*
 16 *paragraph shall be limited to an average of not more than*
 17 *¼ mile on either side of the trail.”.*

18 (b) *MORMON PIONEER NATIONAL HISTORIC TRAIL.*—
 19 Section 5(a)(4) of the National Trails System Act (16
 20 U.S.C. 1244(a)(4)) is amended by adding at the end the
 21 following: *“No land or interest in land outside the exterior*
 22 *boundaries of any federally administered area may be ac-*
 23 *quired by the Federal Government for the trail except with*
 24 *the consent of the owner of the land or interest in land.*
 25 *The authority of the Federal Government to acquire fee title*

1 *under this paragraph shall be limited to an average of not*
 2 *more than 1/4 mile on either side of the trail.”.*

3 *(c) CONTINENTAL DIVIDE NATIONAL SCENIC TRAIL.—*
 4 *Section 5(a)(5) of the National Trails System Act (16*
 5 *U.S.C. 1244(a)(5)) is amended by adding at the end the*
 6 *following: “No land or interest in land outside the exterior*
 7 *boundaries of any federally administered area may be ac-*
 8 *quired by the Federal Government for the trail except with*
 9 *the consent of the owner of the land or interest in land.*
 10 *The authority of the Federal Government to acquire fee title*
 11 *under this paragraph shall be limited to an average of not*
 12 *more than 1/4 mile on either side of the trail.”.*

13 *(d) LEWIS AND CLARK NATIONAL HISTORIC TRAIL.—*
 14 *Section 5(a)(6) of the National Trails System Act (16*
 15 *U.S.C. 1244(a)(6)) is amended by adding at the end the*
 16 *following: “No land or interest in land outside the exterior*
 17 *boundaries of any federally administered area may be ac-*
 18 *quired by the Federal Government for the trail except with*
 19 *the consent of the owner of the land or interest in land.*
 20 *The authority of the Federal Government to acquire fee title*
 21 *under this paragraph shall be limited to an average of not*
 22 *more than 1/4 mile on either side of the trail.”.*

23 *(e) NORTH COUNTRY NATIONAL SCENIC TRAIL.—Sec-*
 24 *tion 5(a)(8) of the National Trails System Act (16 U.S.C.*
 25 *1244(a)(8)) is amended by adding at the end the following:*

1 *“No land or interest in land outside the exterior boundaries*
 2 *of any federally administered area may be acquired by the*
 3 *Federal Government for the trail except with the consent*
 4 *of the owner of the land or interest in land.”.*

5 (f) *ICE AGE NATIONAL SCENIC TRAIL.*—Section
 6 *5(a)(10) of the National Trails System Act (16 U.S.C.*
 7 *1244(a)(10)) is amended by adding at the end the following:*
 8 *“No land or interest in land outside the exterior boundaries*
 9 *of any federally administered area may be acquired by the*
 10 *Federal Government for the trail except with the consent*
 11 *of the owner of the land or interest in land.”.*

12 (g) *POTOMAC HERITAGE NATIONAL SCENIC TRAIL.*—
 13 *Section 5(a)(11) of the National Trails System Act (16*
 14 *U.S.C. 1244(a)(11)) is amended—*

15 (1) *by striking the fourth and fifth sentences;*

16 *and*

17 (2) *by adding at the end the following: “No land*
 18 *or interest in land outside the exterior boundaries of*
 19 *any federally administered area may be acquired by*
 20 *the Federal Government for the trail except with the*
 21 *consent of the owner of the land or interest in land.”.*

22 (h) *NEZ PERCE NATIONAL HISTORIC TRAIL.*—Section
 23 *5(a)(14) of the National Trails System Act (16 U.S.C.*
 24 *1244(a)(14)) is amended—*

1 (1) *by striking the fourth and fifth sentences;*
 2 *and*

3 (2) *by adding at the end the following: “No land*
 4 *or interest in land outside the exterior boundaries of*
 5 *any federally administered area may be acquired by*
 6 *the Federal Government for the trail except with the*
 7 *consent of the owner of the land or interest in land.*
 8 *The authority of the Federal Government to acquire*
 9 *fee title under this paragraph shall be limited to an*
 10 *average of not more than 1/4 mile on either side of the*
 11 *trail.”.*

12 **SEC. 3. CONFORMING AMENDMENT.**

13 *Section 10 of the National Trails System Act (16*
 14 *U.S.C. 1249) is amended by striking subsection (c) and in-*
 15 *serting the following:*

16 “(c) *AUTHORIZATION OF APPROPRIATIONS.—*

17 “(1) *IN GENERAL.—Except as otherwise provided*
 18 *in this Act, there are authorized to be appropriated*
 19 *such sums as are necessary to implement the provi-*
 20 *sions of this Act relating to the trails designated by*
 21 *section 5(a).*

22 “(2) *NATCHEZ TRACE NATIONAL SCENIC*
 23 *TRAIL.—*

24 “(A) *IN GENERAL.—With respect to the*
 25 *Natchez Trace National Scenic Trail (referred to*

1 *in this paragraph as the ‘trail’) designated by*
2 *section 5(a)(12)—*

3 *“(i) not more than \$500,000 shall be*
4 *appropriated for the acquisition of land or*
5 *interests in land for the trail; and*

6 *“(ii) not more than \$2,000,000 shall be*
7 *appropriated for the development of the*
8 *trail.*

9 *“(B) PARTICIPATION BY VOLUNTEER TRAIL*
10 *GROUPS.—The administering agency for the trail*
11 *shall encourage volunteer trail groups to partici-*
12 *pate in the development of the trail.”.*

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